

REFERENCE TITLE: cigarettes; small packages; sale

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1171

Introduced by
Senator Blendu; Representative Gallardo; Senators Gould, Harper, Martin;
Representatives Jones, Nichols, Pierce, Reagan, Smith, Stump

AN ACT

AMENDING SECTION 36-798.04, ARIZONA REVISED STATUTES; RELATING TO TOBACCO SALES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 36-798.04, Arizona Revised Statutes, is amended to
3 read:

4 36-798.04. Unlawful manufacture, sale or distribution of
5 cigarettes and roll-your-own tobacco; exceptions;
6 violation: classification

7 A. Except as provided in subsection B or C of this section, it is
8 unlawful to manufacture, sell or distribute in this state either:

9 1. A package or other container of cigarettes that contains fewer than
10 twenty cigarettes.

11 2. A package of roll-your-own tobacco that contains less than 0.60
12 ounces of tobacco.

13 B. This section does not prohibit:

14 1. The manufacture of the products described in subsection A,
15 paragraphs 1 and 2 of this section for sale or distribution outside of this
16 state.

17 2. The manufacture of the products described in subsection A,
18 paragraph 1 of this section for sale or distribution in compliance with
19 subsection C of this section.

20 3. THE SALE OR DISTRIBUTION OF CIGARETTES IN A PACKAGE OR CONTAINER
21 THAT CONTAINS FEWER THAN TWENTY CIGARETTES AT A FACILITY THAT DERIVES AT
22 LEAST SEVENTY-FIVE PER CENT OF ITS REVENUE FROM THE SALE OF TOBACCO PRODUCTS
23 AND THAT ADMITS ONLY PEOPLE WHO ARE AT LEAST EIGHTEEN YEARS OF AGE.

24 C. Products described in subsection A, paragraph 1 of this section may
25 be distributed or sold within this state only at a facility that is licensed
26 pursuant to section 4-209, subsection B, paragraph 6, and that admits only
27 people who are at least twenty-one years of age.

28 D. A violation of this section is a class 3 misdemeanor.